

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GILBERT ELLIS,

Plaintiff,

- against -

GREENE KUSH et al.,

Defendants.

25-CV-1224 (AS) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

Plaintiff's motion at Dkt. 58, captioned "PLAINTIFF'S MOTION FOR RELIEF: VIOLATION OF RIGHT TO JUDICIAL REVIEW, DUE PROCESS, AND CONSPIRACY TO VIOLATE CIVIL RIGHTS" essentially makes the same allegations as and asks for the ultimate relief already sought by Plaintiff's complaint. The motion is duplicative and procedurally inapt (because it asks for the ultimate relief sought by the complaint) and is therefore denied.

Plaintiff's "SUPPLEMENTAL JUDICIAL NOTICE — RECORD INTEGRITY RISK" at Dkt. 60 asks for the same relief as was already denied at Dkt. 56 (i.e., document preservation and warnings about spoliation). The motion is duplicative and is denied.

Both filings (as well as Plaintiff's supporting memorandum of law at Dkt. 59) are vexatious. Accordingly, Plaintiff is cautioned not to file duplicative motions and requests for relief. Failure to follow this or any other court order may result in sanctions, including dismissal of Plaintiff's case.

Plaintiff will have the opportunity to air his concerns with the Court at the initial pretrial conference.

The Clerk of Court is respectfully directed to terminate the motions at Dkts. 58 and 60.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: May 2, 2025
New York, New York

Copies transmitted this date to all parties.